

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE PAUL L. HORNEMAN and :
KATHLEEN L. HORNEMAN, :
Debtors :
: : : : :
:

A.E. HASPERT CONTRACTING, :
LLC, :
Appellant :
: : :
:

v. :
PAUL and KATHLEEN HORNEMAN, :
Appellees :
: :
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:

CIVIL NO. AMD 02-3465

BANKRUPTCY CASE NO.
02-5-5904-SD

FILED ENTERED
LODGED RECEIVED

DEC 23 2002

CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

AMENDED MEMORANDUM

This is an appeal from an order of the bankruptcy court, presenting the issue of whether that court erred in allowing the debtors to avoid a judicial lien pursuant to 28 U.S.C. § 522(f). Appellees have moved to dismiss the appeal, seasonably pointing out that appellant had failed to comply with relevant rules applicable to an appeal to the district court. Appellant has opposed the motion to dismiss. Nevertheless, appellant has not bothered to correct the deficiencies in its presentation. In particular, this court has not been provided with the oral opinion of the bankruptcy judge. Merely providing a copy of the Order appealed from plainly does not comply with Local Rule 403.1.b. (D.Md. 2001) ("Appellant shall provide with the opening brief a copy of the Bankruptcy Court opinion and order form which the appeal is being taken."). Accordingly, the appeal shall be dismissed.

Filed: December 23, 2002



ANDRE M. DAVIS
UNITED STATES DISTRICT JUDGE

